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May 13, 2024

**VIA ECF**

United States District Court  
Southern District of New York  
40 Foley Square, Room 2102  
New York, NY 10007

**RE: Strata Trust Company, et. al., v. Linda E. Greco et. al.  
Case No. 1:23-cv-07910-MMG**

Dear Judge Garnett,

I represent the Plaintiffs Strata Trust Company, Custodian FBO Peter Fioretti Forth IRA 300002568 (as assignee of Liberty Trust Company, LTD, as Custodian for the Benefit of Peter John Fioretti IRA Account TC003645) ("Strata"), and Peter Fioretti ("Fioretti") (individually a "Plaintiff" and collectively "Plaintiffs"), in the aforementioned action. In accordance with the Court's order dated April 30, 2024, please allow this to serve as Plaintiffs' follow up supplemental filing with respect to diversity of citizenship in support of Plaintiffs' Motion for Default Judgment. (D.I. 50).

The Plaintiffs filed a Motion for Default Judgment against Defendant SDS BNDO Street Funding LLC ("SDS BNDO") on March 5, 2024. (D.I. 38). Plaintiffs previously provided a supplemental filing with the operating agreements of Defendant SDS BNDO Street Funding LLC ("SDS BNDO") and its managing member BNDO Manager LLC ("BNDO Manager").

In conjunction therewith, the Plaintiffs have made efforts to track down the operating agreements of three additional LLC entities that are listed as members of Defendant SDS BNDO – Lucky Duck LLC, G46, LLC, and Post Road Realty Services LLC. Attached hereto as **Exhibit A** is the operating agreement of G46, LLC. In accordance with said operating agreement, its members are G Holdings Trust and Linda Greco, both with citizenship in Brooklyn, New York, which was confirmed through the cooperation of Defendant Linda Greco.

Despite Plaintiffs' best efforts, Plaintiffs have not been able to track down the operating agreement of Lucky Duck LLC and Post Road Realty Services LLC. Based on the Plaintiffs' research, Lucky Duck LLC is a New York limited liability company with a principal place of business in Brooklyn, New York. Post Road Realty Services LLC is a Delaware limited liability company.

We respectfully request the opportunity to engage in limited discovery for purposes of obtaining the operating agreements of Lucky Duck LLC or Post Road Realty Services LLC. We thank the Court for its consideration in this matter and remain available to address any additional inquiries or concerns.

Very truly yours,  
WHITE AND WILLIAMS LLP



Agatha C. Mingos

cc: All counsel of record

It is hereby ORDERED that Plaintiffs may engage in limited discovery pursuant to FRCP 26(b)(1) in order to obtain the operating agreements of Lucky Duck LLC and Post Road Realty Services LLC, for the sole purpose of confirming diversity of citizenship with respect to SDS BNDO Street Funding LLC (Dkt. No. 38). Plaintiffs shall file a status letter as to their limited discovery efforts and whether they have been able to confirm the citizenship of Lucky Duck LLC and Post Road Realty Services LLC no later than **June 21, 2024**.

SO ORDERED. Date: 5/22/2024.



HON. MARGARET M. GARNETT  
UNITED STATES DISTRICT JUDGE